

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Request for Extension of Time to
Construct Digital Facilities
WTJP-DT, Gadsden, Alabama, et al.
File No. BEPCDT-20020304ADG
ID No. 1002

MEMORANDUM OPINION AND ORDER

Adopted: October 15, 2002

Released: October 16, 2002

By the Chief, Media Bureau:

1. The Media Bureau (the "Bureau") has before it a petition for reconsideration filed by Trinity Christian Center of Santa Ana, Inc. and its affiliated licensees ("Trinity") seeking reconsideration of the Bureau's letter of June 3, 2002, denying its request for an extension of time to construct digital television facilities and admonishing Trinity for failing to meet the May 1, 2002, construction deadline for DTV facilities. For the reasons stated below, we deny the petition.

2. In its petition, Trinity argues that the Bureau failed to provide due process by not giving adequate notice of its intent to impose admonishments on those parties who failed to meet the DTV construction deadline. Admonishment is not an unusual or excessively punitive remedy, but rather is a penalty regularly imposed in a variety of contexts for failure to abide by Commission requirements. In this context, Trinity failed to comply with a Commission imposed build-out requirement. Its apparent expectation that it would be permitted to do so without ramifications was baseless and mistaken. As a result, Trinity's contention that it was denied "due process" when it received an admonishment for failure to comply with the build-out requirement is without merit. Trinity should note, however, that if it continues to miss deadlines imposed by the Commission on its DTV build out, it will be subject to additional sanctions.

7. ACCORDINGLY, IT IS ORDERED, THAT the petition for reconsideration filed by Trinity Christian Center of Santa Ana, Inc. and its affiliated licensees seeking reconsideration of the

1 A complete list of the stations licensed to Trinity and its sister companies is attached as Exhibit 1.

2 See, e.g., Davidson County Broadcasting, 12 FCC Rcd 3375 (1997)(failure to comply with EEO rules); Rainbow Broadcasting, 14 FCC Rcd 11099 (1999)(failure to obtain Commission consent prior to replacing authorized antenna); Black Media Broadcasting, 16 FCC Rcd 3374 (2001)(broadcast of commercials on noncommercial station).

Bureau's letter of June 3, 2002, which denied Trinity's request for an extension of time to construct digital television facilities and admonished Trinity for failure to meet the May 1, 2002, construction deadline for digital television facilities, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

W. Kenneth Ferree  
Chief, Media Bureau

## EXHIBIT 1

**Trinity Christian Center of Santa Ana, Inc.**

<b>Station Location</b>	<b>Facility ID</b>	<b>File No.</b>
WTJP-DT Gadsden, AL	1002	BEPCDT-20020304ADG
WMPV-DT Mobile, AL	60827	BEPCDT-20020304AEC
WMCF-DT Montgomery, AL	60829	BEPCDT-20020304ADJ
WHSB-DT Monroe, GA	68058	BEPCDT-20020304AFZ
KAHH-DT Honolulu, HI	3246	BEPCDT-20020304AGK
WWTO-DT LaSalle, IL	998	BEPCDT-20020304ADW
WBUY-DT Holly Springs, MS	60830	BEPCDT-20020304ADQ
KTAJ-DT St. Joseph, MO	999	BEPCDT-20020304ADP
KNAT-DT Albuquerque, NM	993	BEPCDT-20020304ADZ
WDLI-DT Canton, OH	67893	BEPCDT-20020304ADE
KDOR-DT Bartlesville, OK	1005	BEPCDT-20020304ADS
WPGD-DT Hendersonville, TN	60820	BEPCDT-20020304ADH

**Trinity Broadcasting of Arizona, Inc.**

KPAZ-DT Phoenix, AZ	67868	BEPCDT-20020304AGL
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**Trinity Broadcasting of Florida, Inc.**

WHFT-DT Miami, FL	67971	BEPCDT-20020304AGM
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**Trinity Broadcasting of Indiana, Inc.**

WKOI-DT Richmond, IN	67869	BEPCDT-20020304AGP
WCLJ-DT Bloomington, IN	68007	BEPCDT-20020304ACQ

**Trinity Broadcasting of New York, Inc.**

WTBY-DT Poughkeepsie, NY	67993	BEPCDT-20020304AGT
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**Trinity Broadcasting of Oklahoma City, Inc.**

KTBO-DT Oklahoma City, OK	67999	BEPCDT-20020304AGU
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**Trinity Broadcasting of Texas, Inc.**

KDTX-DT Dallas, TX	67910	BEPCDT-20020304AGV
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